

IN THE CIRCUIT COURT OF LEFLORE COUNTY, MISSISSIPPI

TRAVIS F. GRIGGS
PLAINTIFF,

v.

LEFLORE COUNTY, MISSISSIPPI, COREY
WEATHERSPOON, INDIVIDUALLY AND IN
HIS CAPACITY AS LEFLORE COUNTY
SHERIFF'S DEPUTY AND AGENT OF THE
NORTH CENTRAL NARCOTICS TASK
FORCE, ALEX GRANDERSON,
INDIVIDUALLY AND IN HIS CAPACITY AS
LEFLORE COUNTY SHERIFF'S DEPUTY
AND DWIGHT MCCASKILL, INDIVIDUALLY
AND IN HIS CAPACITY AS LEFLORE
COUNTY SHERIFF'S DEPUTY
DEFENDANTS.

CAUSE NO.: 2014-0047 CJC

COMPLAINT
JURY TRIAL DEMANDED

COMES NOW, Plaintiff, Travis F. Griggs, by and through the undersigned attorney, Melvin D. Miller, II, of Pittman & Associates, PLLC, and files his Complaint, and as good cause in support thereof would show unto this Honorable Court the following, to-wit:

JURISDICTION AND VENUE

- 1) Travis F. Griggs is an adult resident citizen of Itta Bena, Leflore County, Mississippi.
- 2) Defendant Leflore County, Mississippi is a political subdivision of the State of Mississippi located in the City of Greenwood, Mississippi.

- 3) Defendant Corey Weatherspoon is a police officer/agent of Leflore County, Mississippi and served as a North Central Narcotics Task Force Agent at the time of the incidents herein stated.
- 4) Defendant Alex Granderson is a police officer of Greenwood, Mississippi and was an officer for Mississippi Valley State University at the time of the incidents herein stated.
- 5) Defendant Dwight McCaskill is a police officer of Greenwood, Mississippi and was an officer for Mississippi Valley State University at the time of the incidents herein stated.
- 6) This Honorable Court has jurisdiction over the parties and subject matter jurisdiction pursuant to Miss. Code Ann. § 11-46-13.
- 7) Venue is proper in this Honorable Court pursuant to Miss. Code Ann. § 11-46-13.

ADMINISTRATIVE PROCEDURE

- 8) Plaintiff has served a Notice of Claim on the appropriate entity as directed by the Mississippi Code Annotated 11-46-11. (A True and correct copy of Plaintiff's Notice of Claim confirming date received attached hereto as Exhibit "A").

PARTIES

- 9) Plaintiff, Travis F. Griggs, (hereinafter "Mr. Griggs") is an adult resident citizen of the City of Itta Bena, County of Leflore, State of Mississippi.
- 10) At all material and relevant times provided herein, Leflore County, Mississippi (hereinafter "the County") is a political subdivision of the State of Mississippi.

The County may be served with process by serving Sam Abraham, Chancery Clerk Leflore County, Mississippi.

- 11) Corey Weatherspoon (hereinafter "Defendant Weatherspoon") is an adult resident citizen of Greenwood, Leflore County, Mississippi and may be served by delivering a copy of the summons and complaint to him at his resident address.
- 12) Alex Granderson (hereinafter "Defendant Granderson") is an adult resident citizen of Greenwood, Leflore County, Mississippi and may be served by delivering a copy of the summons and complaint to him at his resident address.
- 13) Dwight McCaskill (hereinafter "Defendant McCaskill") is an adult resident citizen of Greenwood, Leflore County, Mississippi and may be served by delivering a copy of the summons and complaint to him at his resident address.

FACTS

- 14) The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.
- 15) On or about January 16, 2013, at approximately 9:45 p.m., Travis F. Griggs arrived at the Moroccan Lounge in Itta Bena, Mississippi where he is employed as the club's manager. When Mr. Griggs noticed that the DJ was locked out of the Club, he continued to drive past the Club, without coming to a complete stop, exiting the parking lot to travel to his boss's home to pick up the key to the Club.
- 16) While waiting in the turning lane, Mr. Griggs noticed flashing red and blue lights so he proceeded to make his left turn in an effort to get out of the way because he believed that the vehicle with flashing blue and red lights were attempting to

pull over another car. After completing a left turn, Mr. Griggs then noticed a second set of flashing blue and red lights behind him, so he began to pull over the right side of the road (east bound).

17) Once Mr. Griggs came to a complete stop he noticed that one (1) vehicle parked in front of his vehicle in an effort to cut Mr. Griggs off and another vehicle parked directly behind Mr. Griggs' vehicle. Mr. Griggs noticed that one (1) man came from the back bumper area of his vehicle and two (2) men came from the front bumper area of his vehicle and approached Mr. Griggs. Mr. Griggs recognized two (2) of the men, Mr. Dwight McCaskill and Mr. Alex Granderson, because they worked as campus police at Mississippi Valley State University.

18) Mr. Griggs inquired the name of the third man as well as the reason as to why they pulled him over. The third man, Corey Weatherspoon instructed Mr. Griggs to get out and place his hands on the vehicle. Mr. Griggs asked who they were and Mr. Weatherspoon responded by stating that they did not have to identify themselves to Mr. Griggs.

19) Mr. Griggs then exited the vehicle and placed his hands on the vehicle as instructed. Mr. Weatherspoon searched Mr. Griggs as well as his vehicle, but he did not find anything. Mr. Griggs again asked the men what was the probable cause and why did they pull him over. Mr. Weatherspoon then instructed Mr. Griggs to get back into his vehicle and follow them to the Club. Mr. Weatherspoon stated that either Mr. Griggs was going to get in the vehicle and follow them to the Club or he was going to snatch Mr. Griggs out of his vehicle

and drive the vehicle over to the Club himself. Mr. Griggs replied okay and complied with the instruction by following the men back to the Club.

20) Upon his arrival at the Club, Mr. Griggs remained in his vehicle, in the parking lot of the Club, while speaking with his boss on the phone regarding the men pulling him over.

21) All of a sudden, Mr. Weatherspoon snatched open the door, on the driver's side of the vehicle, and demanded that Mr. Griggs get out of the vehicle. Mr. Griggs then asked Mr. Weatherspoon who he was and stated that he complied with everything that Mr. Weatherspoon asked of him, but he had yet to identify himself. Mr. Weatherspoon stated that he was going to ask Mr. Griggs one more time to get out of the vehicle while simultaneously grabbing Mr. Griggs' upper left arm in attempt to snatch him out of the vehicle, but he was unsuccessful. Mr. Weatherspoon repeated himself again by stating that he was going to ask Mr. Griggs one more time to get out of the vehicle while simultaneously grabbing Mr. Griggs upper left arm harder this time, but Mr. Weatherspoon was unsuccessful again.

22) While Mr. Weatherspoon was attempting to snatch Mr. Griggs out of the vehicle,

Mr. McGaskill and Mr. Granderson were standing behind Mr. Weatherspoon.

After the second attempt to snatch Mr. Griggs out of his vehicle, Mr. Weatherspoon stated "you fucked up now." Mr. Weatherspoon then jumped inside the vehicle on top of Mr. Griggs and hit Mr. Griggs directly in his right eye which knocked Mr. Griggs senseless.

23)At that point, Mr. Griggs felt the other two (2) men binding him to the vehicle by pressing Mr. Griggs' thighs together and holding his feet together. While Mr. Griggs was bind to the vehicle by Mr. McCaskill and Mr. Granderson, Mr. Weatherspoon continued to hit Mr. Griggs in his face countless amount of times. Then Mr. Weatherspoon stopped hitting Mr. Griggs and began to choke him. As Mr. Griggs felt himself slipping out of consciousness, he gathered enough strength to raise his hands in an effort to show that he was not resisting.

24)Mr. Weatherspoon slowly released Mr. Griggs and one (1) of the other men snatched Mr. Griggs out of the truck by his legs. Once Mr. Griggs' feet hit the ground, he stood up on his own. After Mr. Griggs stood up, Mr. Weatherspoon borrowed handcuffs from one (1) of the men, handcuffed Mr. Griggs, and took him inside the Club.

25)When Mr. Griggs was escorted into the Club, mucus was running from his nose as a result of Mr. Weatherspoon cracking Mr. Griggs' sinus cavity and blood was running from both Mr. Griggs' nose and the gash under his left eye.

26)After the three (3) men exited the Club with Mr. Griggs, Mr. Weatherspoon transported Mr. Griggs to the Leflore County Jail. After Mr. Griggs was placed in the holding cell by Mr. Weatherspoon, Mr. Griggs began to vomit blood clots and experienced a severe migraine headache.

27)Mr. Weatherspoon then escorted Mr. Griggs to the bathroom and after he removed the handcuffs, he instructed Mr. Griggs to clean himself up. Mr. Weatherspoon informed Mr. Griggs that there was not a nurse on duty so he would have to transport Mr. Griggs to the Greenwood Leflore Hospital's

emergency room. Mr. Weatherspoon then stated that taking Mr. Griggs to the emergency room was kind of good because Mr. Weatherspoon had a cut on his hand and needed to have it looked at because he had a basketball tournament at the end of the month.

28) Mr. Weatherspoon transported Mr. Griggs to the Greenwood Leflore Hospital. He was found to have a nerve damage to eye, fracture to over-socket area, fracture to sinus cavity, a laceration under left eye, head trauma, and ongoing blood cloths all requiring extensive treatment.

29) After being seen by the emergency room doctor and having CT SCANS completed, Officer Randle of the Leflore County Sheriff's Department came to the hospital and spoke with both Mr. Weatherspoon and Mr. Griggs. Officer Randle informed Mr. Griggs that they were not going to charge him and that he was released to his family.

MISSISSIPPI TORT CLAIMS

30) The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

31) Defendants are also liable to Plaintiff under Mississippi law.

32) Based on the facts and circumstances set forth herein, the Plaintiff is also seeking recovery under the following state law causes of action: negligent failure to train; negligent supervision; negligent and/or intentional infliction of emotional distress; false imprisonment; malicious prosecution; fraud; trespass; abuse of process; defamation; the tort of false light invasion of privacy; and, civil conspiracy.

- 33) Neither of the Defendants may claim immunity under the provisions of Miss. Code Ann. Sec. 11-46-9 (1)(c), (j), nor of any other subparagraph of Sec.11-46-9 (1).

NEGLIGENT HIRING

- 34)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.
- 35)Defendant Leflore County, Mississippi, as a matter of policy and practice, has failed to hire competent police officer(s)/agent(s) and other officials.
- 36)Defendant Leflore County, Mississippi, as a matter of policy and practice, has failed to discipline, train, or otherwise sanction police officers and other officials who violate the rights of citizens, thereby encouraging the individual defendants in this case to engage in the unlawful and actionable conduct described above.
- 37)Defendant Leflore County, Mississippi, as a matter of policy and practice, has failed to hire and properly train competent police officers and other officials with respect to the constitutional, statutory, and departmental limits of their authority, thereby causing the individual defendants in this case to engage in the questionable, unlawful, and actionable conduct described above.

NEGLIGENT SUPERVISION/TRAINING

- 38)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.
- 39)The County had a duty to provide sufficient training and instructions to its officers/agents to properly carry out their duties.

40)By not providing training to the officer(s)/agent(s), the County through its employee(s) acting within the scope of their employment, the County willfully, wantonly, recklessly, carelessly, and/or negligently caused injury to Travis F. Griggs.

41)By not providing training to the officers/agents, the County through its employees acting within the scope of their employment, the County willfully, wantonly, recklessly, carelessly, and/or negligently inflicted mental anguish and emotional distress on Travis F. Griggs.

ASSAULT AND BATTERY

42)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

43)The intentional acts by the individual defendant, Police Officer/Agent Corey Weatherspoon, constitute multiple assaults and batteries upon Travis F. Griggs.

FALSE ARREST AND IMPRISONMENT

44)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated full.

45) Individual Defendants, Corey Weatherspoon, Alex Granderson, and Dwight McGoskill, caused Travis F. Griggs to be arrested falsely, unlawfully, maliciously, and without probable cause.

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

46)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

47)As a direct and proximate result of the individual defendants' actions, all of the individual Defendants intentionally, willfully, wantonly, recklessly, carelessly, grossly negligently, and/or negligently caused Travis F. Griggs to suffer physical and mental pain and injury, and he will continue to suffer in the future.

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

48)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

49) All of the Defendants conduct proximately caused Plaintiff to become emotionally distressed.

50)Plaintiff's emotional distress was a reasonably foreseeable result of Defendants' conduct.

51)Plaintiff has suffered damages as a result of Defendants' conduct including loss of reputation, humiliation, embarrassment, inconvenience, mental anguish, loss of enjoyment of life and other nonpecuniary losses.

DEFAMATION

52)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

53)Defendants' actions defamed the Plaintiff's reputation.

54)In fact, Defendants made false and defamatory statements concerning the Plaintiff, published the statement to third parties, and did not bother to check the truthiness of the statement.

55)As a result, Plaintiff suffered special harm caused by the publication.

VICARIOUS LIABILITY

56)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

57)Defendant Leflore County, Mississippi is vicariously liable for the acts of its employees through the doctrine of respondeat superior.

CONSPIRACY

58)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

59)The individual Defendants Police Officer/Agent Corey Weatherspoon, Alex Granderson, and Dwight McCaskill conspired to assault and batter Travis F. Griggs multiple times.

60)The individual Defendants conspired to bring a felony and multiple misdemeanor criminal charges against Travis F. Griggs.

61)The individual Defendants also conspired to conceal the assault and battery against the Plaintiff.

62)The conspiracies by the individual Defendants are actionable under 42 U.S.C. § 1985 as well as the laws of the State of Mississippi.

~~42 U.S.C. § 1983 CLAIM~~

42 U.S.C. § 1983 CLAIM

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63)The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.

64)All individual Defendants, being officials employed by Leflore County, have violated the federally protected rights of Travis F. Griggs, including the right to be free from cruel or unusual punishment, physical abuse, and intimidation.

- 65) Acting under the color of Mississippi law and the policies of the County of Leflore, the County and all other Defendants deprived Travis F. Griggs of his civil rights, including the right to be free from cruel or unusual punishment, physical abuse, and intimidation.
- 66) Acting under the color of Mississippi law and the policies of the County of Leflore all Defendants subjected Travis F. Griggs to physical abuse.
- 67) Acting under the color of Mississippi law and the policies of the County of Leflore all Defendants willfully, wantonly, recklessly, carelessly, and/or negligently inflicted mental anguish and emotional distress on Travis F. Griggs
- 68) Acting under the color of Mississippi law and the policies of the County of Leflore, the County by and through its Officer(s)/Agent(s) used excessive force in the course of Travis F. Griggs's arrest which resulted in bodily injuries, mental anguish, and emotional distress.
- 69) The Defendant County and the individual defendants, as officers of the law, failed to fulfill their duty to provide medical care to Travis F. Griggs while he was in their custody.

DAMAGES

- 70) The allegations contained in the aforementioned paragraphs are incorporated herein as if stated again in full.
- 71) Travis F. Griggs suffered damages in the form of bodily injuries, mental anguish, emotional distress, medical expenses, attorney's fees, and expenses of litigation.

WHEREFORE, PREMISES CONSIDERED, Plaintiff seeks and demands judgment against the County of Leflore, Mississippi as follows:

1. An award of damages pursuant to the state law claims under the Mississippi Tort Claims Act of \$500,000.00;
2. An award of compensatory damages pursuant to claims brought under 42 U.S.C. § 1983 and 42 U.S.C. § 1985 in the amount to be determined by the trier of a fact, but not less than \$5,000,000.00;
3. An award of all interests—including prejudgment interests—associated with this action;
4. An award of punitive damages against the individual defendants of no less than \$100,000.00; and
5. Such other and further relief that this Honorable Court deems appropriate, just and proper.

RESPECTFULLY SUBMITTED, this the 11th day of July, 2014.

TRAVIS F. GRIGGS PLAINTIFF

By: Melvin D. Miller, II

Melvin D. Miller, II, MSB # 103835

W. Ellis Pittman, MSB# 10225

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FILED

JUL 14 2014

ELMUS ST. CLERK

BY: [Signature] D.C.